

Attorneys for Federal Defendants and
Defendant United States of America.

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION**

CALIFORNIA COALITION FOR WOMEN PRISONERS; R.B.; A.H.R.; S.L.; J.L.; J.M.; G.M.; A.S.; and L.T., individuals on behalf of themselves and all others similarly situated,

Plaintiffs
v.

UNITED STATES OF AMERICA FEDERAL
BUREAU OF PRISONS, a governmental entity;
BUREAU OF PRISONS DIRECTOR
COLETTE PETERS, in her official capacity;
FCI DUBLIN WARDEN THAHESHA JUSINO,
in her official capacity; OFFICER
BELLHOUSE, in his individual capacity;
OFFICER GACAD, in his individual capacity;
OFFICER JONES, in his individual capacity;
LIEUTENANT JONES, in her individual
capacity; OFFICER LEWIS, in his individual
capacity; OFFICER NUNLEY, in his individual
capacity, OFFICER POOL, in his individual
capacity, LIEUTENANT PUTNAM, in his
individual capacity; OFFICER SERRANO, in
his individual capacity; OFFICER SHIRLEY, in
his individual capacity; OFFICER SMITH, in his
individual capacity; and OFFICER VASQUEZ,
in her individual capacity,

Defendants.

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CASE NO. 4:23-CV-04155-YGR

UNITED STATES' APRIL 5, 2024 NOTICE OF INTENT TO TRANSFER

FILED UNDER SEAL

1 In compliance with the Court’s Order at Doc. 88, the United States of America respectfully
 2 notifies the Court of its intent to transfer adult in custody (AIC), R [REDACTED] F [REDACTED] (R.F.), who was listed
 3 on plaintiffs’ witness list and who testified at the evidentiary hearing. Information supporting the reason
 4 for the transfer is outlined in the attached exhibits, also filed under seal.

5 On March 28, 2024, R.F. submitted a handwritten BP-A0148 (Inmate Request to Staff)
 6 addressed to Interim Warden N.T. McKinney requesting “a furlough transfer to FPC-Bryan,” a
 7 minimum security federal prison camp in Bryan, Texas. (Exhibit 4.) An inmate can only travel via
 8 “transfer furlough” from a low or minimum security level institution to a minimum security level
 9 institution if the inmate is minimum security level inmate and has an OUT or COMMUNITY custody
 10 designation. Program Statement 5280.09. If each of these variables are met, the inmate can travel via
 11 government-arranged travel.

12 By way of explanation, R.F. currently has 18 points, which puts her at a low security level
 13 designation (a low security level is 16-30 points). (*See Exhibit 5, R.F.’s Chrono Disciplinary Record.*)
 14 To be designated a minimum security level, R.F. would need to be between 0-15 points. Interim Warden
 15 N.T. McKinney has submitted R.F.’s request for a furlough transfer to the BOP’s Designation &
 16 Sentence Computation Center (DSCC). (Exhibit 6.) A DSCC Administrator can assign a “Management
 17 Security Variable,” which reflects and supports the professional judgment of Bureau staff to ensure the
 18 inmate’s placement in the most appropriate level institution. A Management Variable is required when
 19 placement has been made and/or maintained at an institution level inconsistent with the inmate’s
 20 security score — a score which may not completely/ accurately reflect his or her security needs. As
 21 reflected in Exhibit 6, it is the judgment of BOP staff that R.F.’s completion of drug education
 22 classes/overall programming aspects, paying her inmate financial responsibility program, and otherwise
 23 having satisfactory institutional adjustment should result in the application of a management variable.

24 If the DSCC approves this redesignation and transfer, R.F. will change to minimum security
 25 level through the application of a Management Variable of Lesser Security and she will become OUT
 26 custody, allowing her to be submitted to FPC Bryan as minimum and OUT custody. This will allow her
 27 to travel to FPC Bryan on a bus or through some other means of public transport, with a reporting date
 28 and time, set by FCI Dublin staff.

1 R.F.'s family resides in Huston, Texas, and such a transfer would assist her in reestablishing and
2 promoting stronger family and community ties.

3 Given the sensitive and discretionary nature of the application for this management variable, and
4 the fact that it has not yet been approved, the government requests that it notify plaintiffs' counsel at this
5 time only that it is communicating with the Court regarding a transfer of R.F. per her request.

6 Once R.F. has been removed from Dublin and is secure, government counsel will notify
7 plaintiffs' counsel by email of the reason for the transfer and R.F.'s new location.

8 Dated this 5th day of April, 2024.

9
10 JESSE A. LASLOVICH
11 United States Attorney

12 /s/ *Madison L. Mattioli*
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